

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
(Case No. 10-817-US)**

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**

Dear Sir:

Pursuant to 37 C.F.R. Section 1.97 - 1.99, the Applicant wishes to make the following references of record in the above-identified application. This Information Disclosure Statement is in compliance with the continuing duty of candor as set forth in 37 C.F.R. Section 1.56. Copies of the references are enclosed herewith. These references are also listed on the enclosed PTO Form 1449.

In the judgment of the undersigned, portions of the listed references may be material to the Examiner's consideration of the presently pending claims. However, the references have not been reviewed in sufficient detail to make any other representation and, in particular, no representation is intended as to the relative relevance between references, whether cited in this or prior statements. This statement is not a representation that the listed references have effective dates early enough to be "prior art" within the meaning of 35 U.S.C. Section 102 or Section 103.

This Information Disclosure Statement is being filed:

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- within three months of the filing date of a national application; within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or before the mailing date of a first Office Action on the merits. 37 C.F.R. § 1.97 (b)
- after** three months of the filing date of a national application, or the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or **after** the mailing date of a first Office Action on the merits, but before the mailing date of a Final Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311 (whichever occurs first), and includes (37 C.F.R. § 1.97 (c):
 - the Certification under 37 C.F.R. § 1.97(e) (see “Certification” below)

OR

- the fee of \$180 set forth in 37 C.F.R. § 1.17(p) (see “Fees” below).
- after** a Final Action under 37 C.F.R. § 1.113 or a Notice of Allowance under 37 C.F.R. § 1.311 (whichever occurs first), but before, or simultaneously with, the payment of the issue fee, and includes the Certification under 37 C.F.R. § 1.97(e) (see “Certification” below), and the Petition Fee set forth in 37 C.F.R. § 1.17(i) (see “Fees” and “Method of Payment of Fees” below). Applicants hereby petitions for consideration of the Information Disclosure Statement submitted herewith and the accompanying references in examination of the subject patent application.

CERTIFICATION

- The **undersigned** hereby certifies that each item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement.
- The **undersigned** hereby certifies that no item of information contained in the Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign patent application or, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of the Information Disclosure Statement.

FEES

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- No fee** is owed by the applicant(s).
 The **IDS Fee of \$180.00** under 37 C.F.R. § 1.17(p) is enclosed herewith.

METHOD OF PAYMENT OF FEES

- Charge Deposit Account No. 13-2490 in the amount of \$180.00.

Please charge any underpayment or credit any overpayment in connection with this communication to Deposit Account No. 13-2490.

Respectfully submitted,

/David S. Harper/
David S. Harper, Ph.D.
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US Patent Documents

1. Liu et al., United States Patent No. 6,168,941, Issued January 2, 2001.
2. Hateboer, et al., United States Patent No. 6855544, Issued February 15, 2005.
3. Sasaki et al., United States Patent Publication No. 20030134388, Published July 17, 2003.

Foreign Patent Documents

4. Celltech Limited, WO 1993005145, Published March 18, 1993.
5. Smith, et al., EP 1 157 098, Published September 17, 2008.
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8. DSM IP Assets, WO 2005095578, Published October 13, 2005.
9. DSM IP Assets, WO 2008006494, Published January 17, 2008.

Other Documents

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34. Statutory Declaration of Vaughan Barlow from corresponding case AU 2005229359, June 30, 2010,
35. Statutory Declaration of Jerry Shevitz from corresponding case AU 2005229359, April 27, 2010.
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37. Second Statutory Declaration of V. Chiruvolu from corresponding case AU 2005229359, June 2, 2010

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Respectfully submitted,

Date: /July 23, 2010/

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